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HOSPITALITY HOUSE; COALITION ON  
HOMELESSNESS; AND FAITHFUL FOOLS

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ATTORNEYS FOR PROPOSED  
INTERVENORS COALITION ON  
HOMELESSNESS

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

HASTINGS COLLEGE OF THE LAW, a public trust  
and institution of higher education duly organized  
under the laws and the Constitution of the State of  
California; FALLON VICTORIA, an individual;  
RENE DENIS, an individual; TENDERLOIN  
MERCHANTS AND PROPERTY ASSOCIATION, a  
business association; RANDY HUGHES, an  
individual; and KRISTEN VILLALOBOS, an  
individual,

Plaintiffs,

v.

CITY AND COUNTY OF SAN FRANCISCO, a  
municipal entity,

Defendant.

**Case No. 4:20-cv-3033-JST**

**DECLARATION OF LAUREN  
HANSEN IN SUPPORT OF  
PROPOSED INTERVENORS'  
REPLY IN SUPPORT OF  
MOTION FOR  
INTERVENTION**

Date:

Time:

Place: Courtroom 6, Second Floor

Judge: Hon. Jon S. Tigar

Complaint Filed: May 4, 2020

Trial Date: None Set

1 I, LAUREN HANSEN, declare:

2 1. I am an attorney with the Public Interest Law Project. I represent Proposed Intervenor  
3 Hospitality House, Coalition on Homelessness, and Faithful Fools in Proposed Intervenor's  
4 Motion for Intervention in *Hastings College of the Law, et al., v. City and County of San*  
5 *Francisco*, case no.: 4:20-cv-03033-JST.

6 2. At different times, I have contacted both Plaintiffs' and Defendant's Counsel regarding  
7 Proposed Intervenor's Motion for Intervention and the Stipulated Injunction that the parties filed  
8 after we filed our Motion for Intervention.

9 3. On June 2, 2020, I contacted Counsel for Plaintiffs and Defendants by email, and sent  
10 them a letter informing them of Proposed Intervenor's intention to intervene in this case,  
11 explaining the reasons that Proposed Intervenor should be granted intervention, and to learn  
12 whether they would oppose the motion.

13 4. On June 3, 2020, I called both parties' counsel to follow-up on my email and to discuss  
14 intervention. I was told that neither counsel was available at the time.

15 5. On June 3, 2020, I called Plaintiffs' counsel, Michael Kelly to discuss whether Plaintiffs  
16 would oppose our Motion for Intervention. Later that day, at around 4:30 p.m., Mr. Kelly  
17 responded by email that he was unable to agree to not oppose our motion to intervene, but also  
18 said that he would review the intervention papers after its filing and determine the most  
19 appropriate response. I never heard back from Mr. Kelly, even after the Motion to Intervene was  
20 filed. The first time I heard Plaintiffs' position regarding intervention was at 5:30 pm on June 22,  
21 2020, when I received Plaintiffs' filing stating they take no position on Proposed Intervenor's  
22 Motion for Intervention.

23 6. On June 4, 2020, I spoke to Defendant's counsel Jeremy Goldman, City Attorney for the  
24 City and County of San Francisco, who also indicated he could not agree to not oppose our  
25 motion to intervene at this time, but would review the papers after filing.

26 7. On June 5, 2020, at around 4:00 p.m., I called Jeremy Goldman again to better  
27 understand the likelihood of settlement and whether he thought settlement was imminent.  
28

1 8. Mr. Goldman was unable to give me any specific updates, other than that the parties  
2 would be meeting to discuss settlement on Monday, June 8, 2020.

3 9. On Thursday, June 11, 2020 at around 8:00 p.m. I learned that a reporter from the SF  
4 Chronicle newspaper had a copy of the Stipulated Injunction, and was prepared to announce the  
5 impending agreement in Friday's news. This came as a surprise to me. Neither Plaintiffs'  
6 counsel nor Defendant's counsel reached out to me about their new agreement, despite our prior  
7 conversations.

8 10. On June 12, 2020, I received the notification from the court that the parties filed a  
9 Stipulated Injunction. The document had not been shared with us prior to seeing it on Friday  
10 morning. Mr. Goldman sent me a courtesy copy of the filing.

11 11. I called Jeremy Goldman at around 12:30 p.m. on the same day to discuss the settlement.  
12 I gave him a summary of our concerns to the Stipulated Injunction, namely, that it did not  
13 contain critical protections for unhoused persons or any details about the plans to implement  
14 such an agreement.

15 12. Counsel for the City and Proposed Intervenors held a conference call on June 15 to  
16 discuss the Stipulated Injunction further. We explained in more detail our concerns with the  
17 Stipulated Judgment, including that our clients or any unsheltered people were not part of  
18 crafting such an important agreement. The City indicated it was still determining how to respond  
19 to our Motion for Intervention.

20 13. Attached as Exhibit A is true and correct copy of a settlement agreement entered by a  
21 judge in the Central District in *People's Homeless Task Force v. County of Orange*, case no.  
22 2:18-cv-01027-DOC-JDE, related and jointly settled with *Orange County Catholic Workers v.*  
23 *County of Orange*, case no. 8:18-cv-00155-DOC-JDE. I include the settlement agreement to the  
24 *People's Homeless Task Force (PHTF)* case because the facts and issues are similar to the  
25 *Hastings College of Law* case. In the *PHTF* case, Plaintiffs challenged Orange County's  
26 removal of unhoused persons and their personal belongings from the Santa Ana riverbed. The  
27 *PHTF* agreement contains developed, inclusive protections for unhoused persons during  
28 outreach efforts, assessments for appropriate linkage to services—including a reasonable

1 accommodation process for individuals with disabilities, and accessible shelter placements.  
2 Counsel on this case, Lili V. Graham, is class counsel on the *PHTF* case. The *PHTF* settlement  
3 agreement is under the ongoing federal jurisdiction before Judge David O. Carter of the Central  
4 District court.

5 14. On June 18, 2020, Kelley Cutler, a homeless advocate and an employee of the Coalition  
6 on Homelessness, posted a video she recorded on youtube.com. The video highlights the  
7 problems with criminal enforcement and lack of appropriate placements based on someone's  
8 disabilities. In the video, a homeless person was apparently offered a sleeping spot outside. He  
9 did not want to accept it because he said it was not safe. The police officer involved threatened  
10 him with a criminal misdemeanor if he did not accept the spot or move his tent off the sidewalk.  
11 There was no follow up about the person's needs, even though he was clearly agitated. The  
12 officer seemed to reference the agreement and this lawsuit as his authority to take these actions.  
13 The video shows how nuanced and complicated these issues are, and highlights the need for a  
14 clear agreement that contains a thorough plan for carrying out a change of this magnitude.

15 15. On June 19, 2020, I called Mr. Goldman to ask him if he could send me the guidance  
16 issued to City staff outlining the process of implementing the Stipulated Injunction. He informed  
17 me that no such guidance exists "in one place" and confirmed that the City started implementing  
18 the agreement without uniform guidance. He agreed to send me the guidance regarding  
19 implementing the agreement when it was ready. I have not received any guidance from the City  
20 as of the date of this declaration, and to my knowledge, no guidance has been made public.

21 16. Later that same day, June 19, at around 2:45 p.m., I sent Jeremy Goldman the video of  
22 the police interaction with the person experiencing homelessness that I mentioned in paragraph  
23 14. I explained the contents of the video, and stated that we moved for intervention in this case  
24 to avoid a situation exactly like this one. I went on to explain that we think the video shows how  
25 police, even well-intentioned, can escalate the situation and there is not an appropriate  
26 assessment of someone's disabilities. To date, Mr. Goldman has not responded to my email.

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1 I declare under penalty of perjury under the laws of the United States of America that the  
2 foregoing is true and correct to the best of my knowledge. Executed on June 24, 2020 in  
3 Oakland, California.

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5 LAUREN HANSEN  
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